



***Claim Rejection - 35 U.S.C. § 112***

Claims 1-8 have been rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Specifically, the Examiner states that the use of the alternative "front or rear" in claim 1 is not clear. Claim 1 has been amended to remove "front or rear" so that the claim states that "the sunshade is freely inserted to and removed from a shade sliding rail." Thus, Applicant respectfully requests the above rejection be withdrawn.

***Claim Rejection - 35 U.S.C. § 102(e)***

Claims 1, 2, and 8 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,315,356 to Tolinski. Applicant respectfully traverses this rejection for the reasons set forth below.

Tolinski discloses a sunshade/sunscreen combo having sunroof reinforcing members 47 that are disposed longitudinally on the left and right sides of a roof opening. A sunscreen 25 is guided by channels 55 in the sunroof reinforcing members 47 as it is moved independent of a sunshade 40 and window 15.

Claim 1 has been amended to set forth a sunroof structure having a pair of left and right frame portions on the peripheral edges of a roof opening and a shade sliding rail for guiding a sunshade in the longitudinal direction, wherein the sunshade is freely inserted and removed from the shade sliding rail when the sunroof apparatus is incorporated in a vehicle body. As stated on page 10, lines 15-19, of the present Specification, by being able to insert and remove the sunshade, the sunshade can be replaced without detaching parts and the vehicle can be easily maintained.

Claim 1 states that "the sunshade is freely inserted to and removed from shade sliding rail." However, Tolinski does not disclose that the sunscreen can be freely inserted to and removed from the sunroof reinforcing members 47. Tolinski states on column 2, lines 20-22, that handle 45 "extends downward to allow a driver to move the sunscreen 25 between a closed

and a retracted position." Tolinski discloses that the sunscreen can be moved to a retracted position and it is well known that sunscreens can be moved between closed and retracted positions, but Tolinski does not disclose or suggest removing or inserting the sunscreen 25 into the sunroof reinforcing members 47 when the sunroof apparatus is incorporated into the vehicle body, as set forth in claim 1.

Claims 2 and 8 are dependent on claim 1 and are therefore also patentable for at least the same reasons. Based on the foregoing, the rejection of claims 1, 2, and 8 under 35 U.S.C. § 102(e) should be withdrawn, and reconsideration is respectfully requested.

***Claim Rejection - 35 U.S.C. § 103(a)***

Claims 3-7 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Tolinski in view of U.S. Patent No. 4,056,274 to Jardin et al. ("Jardin"). Applicant respectfully traverses this rejection for the reasons set forth below.

The Examiner states that Tolinski does not disclose a cross member connecting Tolinski's frame portions and extending above the rails, but contends that Jardin discloses this feature of the present invention. The Examiner states that it would be obvious in view of Jardin to provide Tolinski with a cross member, such as Jardin's transport bridge 4, to connect Tolinski's frame portions and to extend above the rails and hence over the locus of the sunshade movement.

Jardin discloses a sliding roof 1 for a vehicle that can be drawn underneath a fixed roof portion 3 to open a roof opening 2. The sliding roof 1 is connected to a U-shaped transport bridge 4, and a slotted pipe 6 is guided in a tubular body 8 fixed to the transport bridge 4. A driving cable 5 is guided in the slotted pipe 6, which is mounted on the fixed roof portion 3 of the vehicle. The driving cable 5 is displaced in the longitudinal direction by a motor (not shown), and during this displacement, the transport bridge 4 is also moved, thereby moving the sliding roof 1 (Jardin, column 2, lines 31-45).

First, as described above in connection with the rejection of claim 1 under 35 U.S.C. § 102(e), Tolinski does not disclose that the sunscreen can be freely inserted to and removed from the sunroof reinforcing members 47 as contended by the Examiner. Thus, Tolinski does not disclose or suggest all of the elements of claim 1. Claims 3-7 are dependent on claim 1 and are therefore also patentable for at least the same reasons.

Furthermore, claim 7 sets forth "a cross member, which connects the pair of frame portions and extends laterally, striding over the shade sliding rail and being placed above a moving locus of the sunshade." However, there is no motivation to modify Tolinski's sun roof structure to include a cross member above Tolinski's sun roof reinforcing members 47, which we assume the Examiner contends are the rails. As shown in Fig. 2 of Tolinski, Tolinski's sun roof reinforcing members 47 support the window 15 which is positioned underneath the window opening 30 in the roof of the vehicle. Therefore, in order for a cross member to be disposed above the rails, Jardin's transport bridge 4 would have to be disposed above the window opening 30 outside of the vehicle or between the window opening 30 and the window 15, which would result in modifying Tolinski's sun roof structure to provide a large gap between the window 15 and the window opening 30 to accommodate the cross member. Thus, there is no motivation to modify Tolinski's sun roof structure in view of Jardin to include a cross member placed above a moving locus of the sunshade, as disclosed the present invention.

Claim 3 also sets forth a motor "disposed above a moving locus of the sunshade." However, there is also no motivation to modify Tolinski's sun roof structure to include a motor disposed over the moving locus of the sunshade. As shown in Fig. 2 of Tolinski, in order for a motor to be disposed above the sunshade, the motor would have to be disposed above the window opening 30 outside of the vehicle or between the window opening 30 and the window 15, which would result in modifying Tolinski's sun roof structure to provide a large gap between the window 15 and the window opening 30 to accommodate the motor. Thus, there is no motivation to modify Tolinski's sun roof structure in view of Jardin to include a motor disposed above a moving locus of the sunshade as disclosed the present invention. Claims 4-6 are dependent on claim 3 and are therefore also patentable for at least the same reasons.

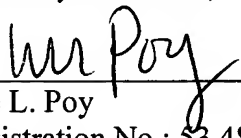
Based on the foregoing, the rejection of claims 3-7 under 35 U.S.C. § 103(a) should be withdrawn, and reconsideration is respectfully requested.

For the reasons discussed above, we believe claims 1-8 to be patentable over the applied references.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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